

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

LOUIS L. AUSTIN

PLAINTIFF

V.

CIVIL ACTION NO.: 3:24-cv-25-MPM-JMV

TATE COUNTY CLERK

My Trust for J.F. Watson for Louis Austin

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

On consideration of the record of this action, the court finds that the Report and Recommendation [8] of the United States Magistrate Judge dated August 13, 2024, recommended dismissal of this action pursuant to Federal Rules of Civil Procedure 12(h)(3) and 41(b); that more than fourteen days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore,

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated August 13, 2024, is hereby approved and adopted as the opinion of the court;
2. That this case be **DISMISSED**, pursuant to Fed. R. Civ. P. 12(h)(3) and Fed. R. Civ. P. 41(b) for failure to timely prosecute Defendant Tate Country Clerk; and
3. That this case is hereby **CLOSED**.

THIS, the 23rd day of October, 2024.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI